

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL W. RUDD,

Plaintiff,

v.

CITY OF NORTON SHORES,
MAYOR GARY NELUND, MARK MEYERS,
DANIEL SHAW, MATTHEW RHYNDRESS,
MICHAEL WASILEWSKI, JON GALE,
CHRIS MCINTIRE, MELISSA MEYERS,
MICHELLE MCLEAN, JOEL BAAR,
BOLHOUSE, BAAR & HOFSTEE PC.,
WILLIAM HUGHES PLLC, DOUGLAS
HUGHES,

Defendants.

Case No. 1:18-cv-124

HON. GORDON J. QUIST/KENT
MAG. JUDGE RAY KENT

**Norton Shores Defendants' Motion for
Protective Order**

Daniel W. Rudd (Pro Se)
201 S. Lake Ave
Spring Lake, Michigan 49456
(231-557-2532)
daniel@stock20.com

Steven Daniel Schultz (P63177)
Attorney for Melissa Meyers
TANIS SCHULTZ PLLC
85 Campau Ave. NW, Ste 305
Grand Rapids, Michigan 49503-2611
(616-608-7149)
sschultz@tanisschultz.com

Richard L. Bolhouse (P29357)
Attorney for Defendants
M. Mclean, J. Baar, and Bolhouse, Hofstee &
Mclean
BOLHOUSE, HOFSTEE & McLEAN PC
3996 Chicago Drive, SW
Grandville, Michigan 49418
(616-531-7711)
rickb@bolouselaw.com
sallyr@bolouselaw.com

Michael S. Bogren (P34835)
Robert A. Callahan (P47600)
Attorneys for Defendants
City of Norton Shores, Mayor Nelund, Jon
Gale, Shaw, Rhyndress, Wassilewski, Mark
Meyers, Douglas Hughes and William Hughes
PLUNKETT COONEY
950 Trade Centre Way, Suite 310
Kalamazoo, Michigan 49002
(269-226-8822)
mbogren@plunkettcooney.com
rcallahan@plunkettcooney.com

Rock Wood (P41181)
Sarah R. Robbins (P81944)
Attorneys for Defendant Chris McIntire
Michigan Dept. of Attorney General
P.O. Box 30736
Lansing, Michigan 48909
(517-373-6434)
Woodr5@michigan.gov
albrol@michigan.gov
schuellerT@michigan.gov

NORTON SHORES DEFENDANTS' MOTION FOR PROTECTIVE ORDER

NOW COME Defendants, City of Norton Shores, Gary Nelund, Mark Meyers, Daniel Shaw, Matthew Rhyndress, Mike Wasilewski, Jon Gale, Douglas Hughes, and William Hughes, PLLC, by and through their attorneys, Plunkett Cooney, and pursuant to Fed. R. Civ. P. 26(c), requests the entry of a protective order staying discovery until pending motions to dismiss are decided. In support of their motion, Defendants state as follows:

1. That on February 5, 2018, Plaintiff filed a 29 page complaint, composed of 138 paragraphs, and 7 separate causes of action.
2. That on August 8, 2018, this Court granted the motion to dismiss filed by co-Defendant Chris McIntire. In the course of doing so, this Court also dismissed as to all Defendants Counts I, III, and IV of Plaintiff's complaint, because of Plaintiff's failure to state a claim against any Defendant.
3. That this Court set a scheduling conference, pursuant to Fed. R. Civ. P. 16, to take place on September 13, 2018.
4. That in communications with Plaintiff prior to the filing of the parties' Joint Status Report, Plaintiff was advised by moving Defendants and co-Defendants of the desire to file motions to dismiss, and that discovery should be stayed until those motions are decided by this Court. That position by Defendants was set forth in the Joint Status Report filed on September 10, 2018.
5. That all Defendants filed their motions to dismiss on September 10-11, 2018.
6. That on September 12, 2018, this Court cancelled the Rule 16 Conference, without date.

7. That on September 18, 2018, Plaintiff served requests for production of documents on moving Defendants.

8. That in light of the pending motions to dismiss to be decided by this Court, moving Defendants submit a motion to stay discovery is appropriate.

WHEREFORE, moving Defendants submit this Court must grant their motion for protective order, pursuant to Fed. R. Civ. P. 26(c), and stay all discovery in this lawsuit until such time as this Court decides the pending motions to dismiss.

Dated: October 4, 2018

Respectfully submitted,

PLUNKETT COONEY

By: /s/ Robert A. Callahan
Robert A. Callahan (P47600)
Attorney for Norton Shores Defendants
950 Trade Centre Way, Suite 310
Kalamazoo, MI 49002
Direct Dial: 269/226-8856

Open.00560.80616.21003021-1